

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/660,005	09/12/2000	Thomas E. Saulpaugh	5181-66200	6061	
7590 08/22/2005			EXAM	EXAMINER	
ATTEN: ROBERT C. KOWERT			PHAN, TAM T		
CONLEY, ROSE & TAYON P.C. P.O. BOX 398			ART UNIT	PAPER NUMBER	
AUSTIN, TX 78767-0398			2144		
		·	DATE MAILED: 08/22/2003	DATE MAILED: 08/22/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)			
09/660,005	SAULPAUGH ET AL.	SAULPAUGH ET AL.		
Examiner	Art Unit			
Tam (Jenny) Phan	2144			

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	Tam (Jenny) Phan	2144				
The MAILING DATE of this communication appe	ears on the cover sheet with the c	correspondence add	ress			
THE REPLY FILED <u>01 August 2005</u> FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	ALLOWANCE.				
⊠ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following						
time periods: a) The period for reply expiresmonths from the mailing	g date of the final rejection.					
b) The period for reply expires on: (1) the mailing date of this no event, however, will the statutory period for reply expire	Advisory Action, or (2) the date set forth					
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7		E FIRST REPLY WAS F	ILED WITHIN			
Extensions of time may be obtained under 37 CFR 1.136(a). The date	on which the petition under 37 CFR 1.1					
nave been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	shortened statutory period for reply origer than three months after the mailing da	inally set in the final Offi	ce action; or (2) as			
2. The Notice of Appeal was filed on A brief in com	nliance with 37 CFR 41 37 must be	filed within two month	ns of the date of			
filing the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed.	ension thereof (37 CFR 41.37(e)), to	avoid dismissal of th				
AMENDMENTS	•					
3. The proposed amendment(s) filed after a final rejection,			ecause			
(a) They raise new issues that would require further co		TE below);				
(b) ☐ They raise the issue of new matter (see NOTE below(c) ☐ They are not deemed to place the application in be	•	ducing or simplifying	the issues for			
appeal; and/or	tter form for appear by materially re	adding or simplifying				
(d) They present additional claims without canceling a		ected claims.				
NOTE: (See 37 CFR 1.116 and 41.33(a))	•		(DTO) 00 ()			
4. The amendments are not in compliance with 37 CFR 1.		ompliant Amendment	(PTOL-324).			
5. Applicant's reply has overcome the following rejection(s6. Newly proposed or amended claim(s) would be a		timely filed amondme	ant cancaling the			
non-allowable claim(s).	mowable il submitted ili a separate,	unlery med amending	ent canceling the			
 For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro 		Il be entered and an	explanation of			
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed: <u>None</u> . Claim(s) objected to: <u>None</u> .						
Claim(s) rejected: <u>1-28</u> .						
Claim(s) withdrawn from consideration: <u>None</u> .						
AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, b	ut before or on the date of filing a N	otice of Anneal will no	nt he entered			
because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e).						
9. \square The affidavit or other evidence filed after the date of filing						
entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa						
10. The affidavit or other evidence is entered. An explanation						
REQUEST FOR RECONSIDERATION/OTHER		,				
 The request for reconsideration has been considered b See Continuation Sheet. 	ut does NOT place the application i	n condition for allowa	nce because:			
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper I	No(s)				
13. 🗌 Other: MARC D. THOMPSON						
	MARC	THOMPSON				
•		VEVAMINED				

PRIMARY EXAMINER



PTOL-303 (Rev. 4-05)

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed 08/01/2005 have been fully considered but they are not persuasive. In response to applicant's arguments regarding the linking the address to a pregenerated message interface for accessing the service and the message interface computer-executable code built into the device, etc., these arguments have been addressed in the previous Final Office Action. Accordingly, the Office stands firm on the statutory rejection as set forth in the Final Rejection mailed on 06/01/2005 (01 June 2005).

MARC D. THOMPSON

PRIMARY EXAMINER